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Judiciary Committee
Raised House Bill 6687
April 1, 2013

Sen. Coleman, Rep. Fox and members of the committee.

My name is Dr. Jerry Hardison. I am a practicing optometrist in Hartford providing optometric care for the past 34 years.

The Connecticut Association of Optometrists strongly opposes Raised House Bill 6687, *An Act Concerning Certificates of Merit*.

This legislation will hurt patients and consumers through a proliferation of malpractice lawsuits that will drive up the cost of healthcare. Health insurance premiums will increase as a result. This is the last thing the citizens of Connecticut need during these difficult economic times.

Our profession has an exemplary record of safe and effective primary eye care and treatment for our patients.

The current law requires that a “similar” health care provider file a statement that merit exists to a malpractice lawsuit. This bill radically changes that standard.

The new definition is a “qualified” provider who is then defined with so much latitude that he or she could be a completely unrelated specialist/professional. This could mean that an optometrist is judged by a provider who has never practiced as an optometrist. That is not a level playing field.

We should be entitled to be judged by our peers when it comes to filing this certificate and evaluating the merits of a malpractice case. Raised House Bill 6687 would open the door to an abuse of that protection.

I also want to offer brief comments on Senate Bill 1154, *An Act Concerning the Accidental Failure of Suit Statute*. The current law is clear that if a plaintiff fails to file a certificate of merit in a timely manner than the malpractice lawsuit can be dismissed. S.B. 1154 will permit a plaintiff one additional year in which to re-file the lawsuit, or another six months if the defendant is an executor or administrator, if the dismissal occurs. The current law affords enough notice and time on the rule for this certificate. We do not see any justification for drawing out the process any longer.

We do not see any need for revisions to the current law on this certificate. Please maintain the current system and oppose this proposal. Thank you.